

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 45 Years of Service 1965 - 2010

AGENDA

OCTOBER 13, 2010 AT 9:00 A.M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

JAMES HARRISON, PRESIDENT
LARRY VIERHEILIG, VICE PRESIDENT
MICHAEL WINN, DIRECTOR
ED EBY, DIRECTOR
BILL NELSON, DIRECTOR

PRINCIPAL STAFF

DON SPAGNOLO, GENERAL MANAGER
LISA BOGNUDA, ASSIST. GENERAL MANAGER
MERRIE WALLRAVIN, SECRETARY/CLERK
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, DISTRICT ENGINEER

Mission Statement: The Nipomo Community Services District's mission is to provide its customers with reliable, quality, and cost-effective services now and in the future.
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NOTE:

- All comments concerning any item on the agenda are to be directed to the Board President.
- Consistent with the Americans with Disabilities Act and California Government Code §54954.2 requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the below referenced public meeting by contacting the District General Manager at 805-929-1133.
- District-prepared staff reports and documents are generally posted on the District's website {[NCSD.CA.GOV](http://www.ncsd.ca.gov)} on the same date the agenda is posted.
- Any writing or document pertaining to an open session item on this agenda which is distributed to the Board of Directors after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review at the District Secretary's Office, 148 S. Wilson Street, Nipomo, CA, during normal business hours, and may be posted on the District's web site at <http://www.ncsd.ca.gov>.
- Items may be taken out of order. The Board typically breaks for lunch at approximately 12 noon and conducts Closed Session at that time, reconvening to public session at approximately 1:00 p. m.
- Please silence all cell phones during the meeting, as a courtesy to others.

A. CALL TO ORDER AND FLAG SALUTE	NEXT RESOLUTION	2010-1202
	NEXT ORDINANCE	2010-116

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) SHERIFF COMMANDER KEN CONWAY

Update re: South County Law Enforcement Activities

C-2) CAL FIRE BATTALION CHIEF BILL FISHER

Update re: South County Cal Fire Activities

C-3) MIKE NUNLEY OF AECOM

Update re: Southland Wastewater Treatment Plant Upgrade

C-4) NCSD DISTRICT ENGINEER PETER SEVCIK

Update re: Recent Activities

C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST

Receive Announcements from Directors Items of District & Community Interest

C-6) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Any member of the public may give comments on the presentations and address the Board relating to any matter within the Board's jurisdiction but not on the Board's agenda. **Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.**

Nipomo Community Services District
REGULAR MEETING
AGENDA

D. CONSENT AGENDA *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately at the conclusion of the Administrative Items. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in brackets.*

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
SEPTEMBER 22, 2010 REGULAR BOARD MEETING
OCTOBER 1, 2010 SPECIAL MEETING

D-3) MNS TASK ORDER FOR FRONTAGE ROAD TRUNK SEWER REPLACEMENT
PROJECT CONSTRUCTABILITY REVIEW AND BID PHASE SERVICES
[RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER HILLSIDE TERRACE APARTMENT PROJECT VARIANCE REQUEST
[RECEIVE REPORT AND PROVIDE DIRECTION TO STAFF]

E-2) CONSIDER DAVIS OUTSIDE USER REQUEST FOR WATER SERVICE [RECEIVE
REPORT AND PROVIDE DIRECTION TO STAFF]

E-3) CONSIDER RECOMMENDATION BY PERSONNEL COMMITTEE TO PREPARE A
REQUEST FOR PROPOSAL TO REVIEW EMPLOYEE SALARY AND
BENEFITS[APPROVE COMMITTEE RECOMMENDATION]

E-4) CONSIDER RECOMMENDATION OF THE FINANCE COMMITTEE TO EXPEND SOLID
WASTE FUNDS [APPROVE COMMITTEE RECOMMENDATION]

E-5) CONSIDER FORTH QUARTER REVIEW OF STRATEGIC PLAN REVIEW [RECEIVE
REPORT AND PROVIDE DIRECTION TO STAFF]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORT

September 27, 2010 Park Committee
October 4, 2010 Personnel Committee

H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING
LITIGATION PURSUANT TO GC §54956.9 SMVWCD VS. NCSD (SANTA
CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE
NO. H032750 AND ALL CONSOLIDATED CASES).

2. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9 Maria
Vista VS. NCSD (CASE NO. CV 040877), Maria Vista vs. NCSD (Case No. CV
061079), AND Maria Vista vs. Linda Vista Farms, NCSD et al. (Case No. CV 040150);

3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT
TO GC SECTION 54956.9: NCSD vs. County SLO, ET AL. (CASE #CV090010)

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

4. PUBLIC EMPLOYEE EVALUATION (GOVERNMENT CODE SECTION 54957(B)):
GENERAL MANAGER

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

K. ADJOURN TO CLOSED SESSION

L. OPEN SESSION
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

- **Next Regular Board Meeting is October 27, 2010**
- **Future Agenda Items**